

EXHIBIT A

1 IN THE UNITED STATES DISTRICT COURT
2 IN AND FOR THE DISTRICT OF DELAWARE

4 IN RE: '318 PATENT INFRINGEMENT : CIVIL ACTION
LITIGATION : NO. 05-356 (SLR)
5 : (Consolidated)

10 BEFORE: HONORABLE SUE L. ROBINSON, Chief Judge

APPEARANCES:

14 ASHBY & GEDES
BY: STEVEN J. BALICK, ESO.

16 | -and-

18 COVINGTON & BURLING
19 BY: GEORGE F. PAPPAS, ESQ.,
20 CHRISTOPHER N. SIPES, ESQ.,
KURT G. CALIA, ESQ.,
WILLIAM ZERHOUNI, ESQ. and
TRISHA B. ANDERSON, ESQ.
(Washington, D.C.)

22 -and-

23 Valerie J. Gunning
24 Official Court Reporter

1 and they shouldn't be a part of the trial.

2 MR. PAPPAS: Your Honor, with respect to Barr
3 Pharmaceuticals, Inc., so long as Barr Pharmaceuticals,
4 Inc. will state for the record today they are prepared
5 to be bound by any judgment of this Court, we don't
6 believe they need to be a party any longer. In other
7 words, the judgment against Barr Pharmaceuticals will apply
8 or Barr will apply to them.

9 MR. LOMBARDI: I am sure that's the case, your
10 Honor, but I don't have a client sitting here. I could
11 send a letter to the Court, I'm sure, tomorrow morning,
12 confirming that Barr Pharma will take -- make that
13 assertion.

14 THE COURT: All right. Thank you very much.

15 I don't see any other particular listed
16 disputes. Are there other issues that you care to address?

17 I do allow you to bring your own water in
18 because we have lousy water in the building. Bring it in
19 bottles. Try to be careful. I've got to live with this
20 furniture until I retire. So just be careful with it,
21 even the water. All right?

22 MR. COTTRELL: Your Honor, just having gone
23 through one of your last ANDA trials and I have not read
24 the new guidelines, just a few questions.

25 THE COURT: Yes?